

The Kentucky Board of Licensure and Certification for Dietitians and Nutritionists

July 25, 2007

10:00 a.m.

A meeting of the Kentucky Board of Licensure and Certification for Dietitians and Nutritionists was conducted Wednesday, July 25, 2007 at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky 40601.

Members Present

Cheryl Bentley, Board Chair

Jane Faith, Secretary

Karen Gilliam

Erin Eliassen

Toni Rodgers

Occupations and Professions

Karen Lockett, Board Administrator

Claude Wagner, Occupations and Professions

Wendy Satterly, Occupations and Professions

Office of the Attorney General

Scott Porter, Board Attorney

Members Absent

Others in Attendance

Linda Stephens - Licensee

Call to Order

Ms. Bentley called the meeting to order at 10:10 a.m.

Approval of Minutes

Ms. Gilliam made a motion to approve the minutes, from the May 30, 2007 meeting. Ms. Eliassen seconded the motion. The motion carried.

Approval of Financial Statement

Ms. Eliassen made a motion to approve the financial statement as submitted. Ms. Faith seconded. The motion carried.

Director's Report

Mr. Wagner reported that the \$50.00 penalty was placed in the wrong column and that the \$50.00 was a late fee on a renewal and not a penalty. The error was corrected on the financial statement dated July 1, 2006-June 30, 2007.

Mr. Wagner presented electronic forms that could be placed on the website for accuracy and legible forms that are mailed in from applicants and licensees. The Board requested that all forms be electronic on the website.

Ms. Gilliam made a motion to approve the electronic forms to be placed on the website after amending all forms at the next Board meeting September 26, 2007. Ms. Rodgers seconded the motion. The motion carried.

Old Business

Ms. Bentley asked the Board members to resume their review and discussion of 201 KAR 33:030 and make a decision regarding whether the regulation should be amended for clarification purposes, or if a written policy clarification is needed, or if a written policy clarification plus an amendment to the regulation is needed, or if nothing further is needed at this time. The board reviewed several sections of the regulations and discussed some related questions that were presented to the Board. Ms. Rodgers made the motion to create a FAQ for the website and that questions be brought to the board meetings for review and the FAQ would be placed on the website. Ms. Faith seconded. The motion carried.

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Ms. Bentley asked Ms. Rodgers and Ms. Eliasson to present to the Board at the September 26, 2007 meeting an update on the status of the sub-committee and any action on the proposal received from Dr. Geza Bruckner, from the University of Kentucky. The sub-committee was formed in response to Dr. Bruckner's proposal to offer certification as a Certified Nutritionist to students completing a Master's degree in Exercise Physiology and Athletic Training. The Board formed a sub-committee to research and recommend regulatory language that would establish criteria to identify and define acceptable academic programs, but until that occurs applications will be reviewed on a case by case basis.

Ms. Faith made a motion for Karen Lockett, Board Administrator to send a response back to Ms. Williams regarding 201 KAR 33:030 Sect (4) Review of programs (d) Professional reading of journal articles related to nutrition and dietetic practice, nutrition and dietetic education or nutrition and dietetic research three (3) hour limit. Ms. Williams concerns were does this mean that only (1) one article such as it appears in the ADA journal which gives (3) three hours credit for reading and doing test and submitting to ADA can be used in each reporting period ie only (3) three hours of the annual 15 can come from reading a journal article? The decision was no, JADA articles are Self-Study programs if they carry CDR prior approval, the post-test is completed and submitted to CDR. The Certificate of Completion must be submitted as documentation if you are audited and must be retained as documentation. Ms. Rodgers seconded the motion. The motion carried.

Ms. Faith discussed the correspondence that was sent to KDA on July 5, 2007 asking for their input with regards of doing away with the pocket licensure identification cards.

Motion was made by Ms Faith to table the decision about the cards issue until the board gets a response from KDA. Ms. Rodgers seconded. The motion carried.

Ms. Faith said that she would inform the board when she gets a response from KDA.

New Business

Ms. Linda Stephens, guest reported to the board that she felt like she had enough hours to reinstate her license and that she had retired and may have misplaced some of her certificates and proof of continuing education hours. The board reviewed Ms. Stephens hours and informed Ms. Stephens that she needed 10 CEUs to be able to reinstate her license. Suggestions were made to Ms. Stephens for sources of CEU offerings. Ms. Stephens agreed to achieve the 10 hours needed for reinstatement. The board informed Ms. Stephens that she will need an additional 15 hours of CEUs by October 31, 2007 to apply for licensure for 2007-2008.

Motion made by Ms. Rodgers that Ms. Faith will be able to review Ms. Stephens additional CEUs submission and approve them before the September 26, 2007 board meeting. Ms. Eliassen seconded. The motion carried.

Ms. Bentley called for nominations for new officers. Motion was made by Ms. Gilliam for Ms. Cheryl Bentley to stay as Chair and Ms. Faith to stay as Secretary. Ms. Eliassen seconded. The motion carried.

Ms. Bentley called for nominations to serve on the Complaint Committee. Motion was made by Ms. Rodgers to accept Ms. Gilliam and Ms. Eliassen to perform the duties of the complaint committee. Ms. Faith seconded. The motion carried.

Mr. Porter, Board Attorney explained to the Board the reasoning for a Complaint Committee and the process the complaint committee would participate in when the board receives complaints. This administrative regulation establishes procedures for the filing, evaluation, and disposition of administrative complaints.

Correspondence was received from Rose Kingston regarding an ad in her local newspaper, The Big Sandy News. Ms. Kingston stated that she noticed an ad for nutritional counseling, health assessment and nutritional analysis services. Ms. Kingston was not familiar with the provider listed, Ms. Nadina Delong. Ms. Kingston tried to verify Ms. Delong's licenses as a dietitian or nutritionist, but could not verify on the website. Ms. Kingston stated that Nadina Delong has massage therapy license but she is not licensed as a dietitian or nutritionist. Ms. Kingston questioned if Ms. Delong is practicing out of the scope of her service. Mr. Porter agreed to send a letter to Ms. Delong requesting information on her credentials and scope of service.

Mr. Porter advised the board regarding the pre-filed bill related to Senate Bill 156 to communicate with the Kentucky Dietetic Association to get the support and to work on getting a sponsor. Mr. Porter advised that the bill can be filed at anytime.

Correspondence from Kara Pendergrass regarding CEU's for approval. Her request for CEUs was denied because she failed to request the training for prior approval at least sixty (60) days in advance of the commencement. 201 KAR 33:030 Sec 3. Procedures for Prior Approval of continuing Education Activities. (1) A person seeking prior approval of a course, program or other continuing education activity shall apply to the board for approval at least sixty (60) days in advance of the commencement of the activity.

Continuing Education Requests

Ms. Faith made a motion that the following continuing education program(s) and hours be **approved**:

- Comparing outcome predictability of markers of malnutrition-inflammation, complex syndrome in haemodialysis patients.- Approved for .5 hours for Jane K. Faith
- Professional reading appetite and inflammation, nutrition anemia and clinical outcome in HD pts. – Approved for .5 hours for Jane K. Faith
- West Ky. DMA meeting @ US foods research – Approved for 4.0 hours for Margaret Curtis
- CD-HCF Newsletter- Approved for 4.0 hours for Peggy White
- Diabetes in children-Tips for the acute care nurse- Approved for 1.0 hours for Tara Shelton
- Renal dynamics: examining secondary hyperparathyroidism and the role of vitamin D in chronic kidney disease – Approved for 8.0 hours for Dorothy Galatz
- Managing bone & mineral metabolism – Approved for 2.5 hours for Dorothy Galatz
- Understanding active vitamin D – Approved for 2.0 hours for Dorothy Galatz
- Nutritional Services- Approved for 4.0 hours for Candice Hayden
- Addressing the obesity epidemic- Approved for 1.0 hour for Joyce Dunagan
- Medical management of diabetes-Approved for 1.0 hour for Rebecca Wright
- Ky CRN spring 2007 meeting- Approved for 7.0 hours for Virginia Johnson

And to **deny** approval for the following continuing education program(s):

- Ky CRN Spring 2006 meeting- Denied for 7.0 hours for Kara Pendergrass
- Wound Management-Denied for 3.0 hours for Margaret Curtis
- Autism & what first steps providers need to know-Denied for 3.0 hours for DPH-First Steps

Ms. Gilliam seconded the motion the motion carried.

Applications for Licensure

Ms. Faith made a motion to **approve** the following applications for licensure: Josey H. Crew, Kari L. Freyberger, Sarah Hamm, Natasha E. Hemmerle, Cheryl Jordan, Haley Hardin, Laura Thompson.

Ms. Elliassen seconded the motion. The motion carried.

Applications for Reinstatement

Ms. Faith made a motion to **approve** the following applications for reinstatement: Debbie Gandy, Denise A. Hill, Angela Murphy, Christine O'Connor, Kristen Rudolph

deny application(s) for reinstatement: Linda Stephens, Ivy Sheehan, and Virginia Johnson.

Ms. Gilliam seconded the motion. The motion carried.

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Scheduled Meetings

The next meeting will be Wednesday, September 26, 2007 beginning at beginning at 10:00 a.m. at the Division of Occupations and Professions located at 911 Leawood Drive, Frankfort, Kentucky.

Approval for Travel and Per Diem

Ms. Eliassen made a motion to approve travel and per diem for today's meeting. Ms. Gilliam seconded motion
The motion carried.

Adjournment

Ms. Eliassen made a motion that the meeting be adjourned. Ms. Gilliam seconded the motion. Ms. Bentley adjourned the meeting at 2:06 p.m.

Approved:

A handwritten signature in cursive script that reads "Cheryl Bentley".

Cheryl Bentley, Chairperson
Minutes Prepared by
Karen Lockett, Board Administrator
July 25, 2007